

February 18, 1981

LB 206

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 206.

CLERK: Mr. President, LB 206 was offered by Senator Chambers. (Read title.) The bill was originally referred to General File. There was a motion on the floor on January 26 to refer it to the Miscellaneous Subjects Committee for public hearing. At that time the motion prevailed. The bill was sent to Miscellaneous Subjects for public hearing. The bill subsequently was advanced to General File. There are no amendments pending, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Paul Bunyon must have been at this mike. I had to reach up and pull it down.

SPEAKER MARVEL: I wasn't out there, sorry.

SENATOR CHAMBERS: Okay, thanks. Mr. Chairman and members of the Legislature, this bill relates to the matter of expenses for the legislators during session. I will try to thumbnail what the situation is, then answer any questions that you might have. The Constitution prohibits Senators from receiving pay or perquisites in addition to the \$400 salary plus one round trip while we are in session. The pay and the perquisite consists of the \$400 salary and the one round trip. There have been State Supreme Court cases in Nebraska which indicate that expenses do not fall within the definition of pay and perquisites. A perquisite is a profit. Expenses merely reimburse the Senators for what they are out of pocket in order to carry out their duties in connection with being in the Legislature. I have had handed around the statement of intent that I presented to the committee because it gives some facts and it also gives a citation to the case in Nebraska which indicated that the Governor could be given a mansion free of charge without violating a pay and perquisite provision of the Constitution that dealt with the Governor's pay. Now, I can tell that there is undivided attention being given to this bill which is so important to us, but despite the fact that nobody really is listening I want to make a record...thank you, Senator Lamb, so that when and if this matter goes to court, it will be clear what has been done. The bill was initially, pursuant to a request that I made to the Executive Board,